REMARKS

Claims 1-5, 7-22, and 24-37 remain in the application.

The Examiner's attention is directed to U.S. Application Serial No. 09/438,862 filed on November 12, 1999, which discloses a remote control that is arranged to transfer data acquired from a digital receiver to a computer.

In section 2 of the Office Action, the Examiner rejected claims 1, 26, and 32 under 35 U.S.C. §102(e) as being anticipated by the Lopresti patent.

Independent claim 1 is directed to a data retrieval system that retrieves data from an ATSC compliant digital broadcast signal, where the digital broadcast signal includes at least one television programming packet and at least one data packet that contains the data. The system comprises a digital receiver and a personal digital assistant. The digital receiver receives the digital broadcast signal and separates the data from the digital broadcast signal. The personal digital assistant is in communication with the digital receiver, the personal digital assistant includes a device receiver to receive the data from the digital receiver, the personal digital assistant includes

a memory to store the data, and the personal digital assistant includes a data port to download the data to a computer.

The Lopresti patent discloses a hand-held remote control 24 having a digitizing writing surface 26 through which the user may enter hand-drawn instructions using a pen or stylus. These instructions can be text, symbols, or pictures. The user can use the handwritten feature of the remote control 24 to instruct the audio/video system to turn on at a certain time and display a particular program, to search all available programs to locate those meeting the user's criteria of interest, and to turn off the audio/video system.

There is no disclosure in the Lopresti patent of (i) a data retrieval system that retrieves data from an ATSC compliant digital broadcast signal, (ii) a personal digital assistant that receives the data from the digital receiver, and (iii) a personal digital assistant that includes a data port to download the data to a computer, all of which are recited in independent claim 1.

Therefore, the Lopresti patent does not anticipate independent claim 1.

Moreover, the Lopresti patent does not suggest these features of independent claim 1. For example, there is no discussion in the Lopresti patent of retrieving data from an ATSC compliant signal (the Lopresti patent mentions only NTSC signals), there is no discussion in the Lopresti patent that the remote control 24 receives data from a digital receiver (the receiver as disclosed in the Lopresti patent is an NTSC receiver), and there is no discussion in the Lopresti patent that the remote control 24 transfers any data to a computer.

Because there is no suggestion of the invention of independent claim 1, independent claim 1 is not unpatentable over the Lopresti patent.

Independent claim 26 is directed to a personal digital assistant comprising an input device, an output device, a memory, and a controller. The input device provides an interface with a digital receiver, and the output device provides an interface with a computer. The controller reads data at the input device, the data at the input device is acquired from a digital receiver that receives the data in a digital broadcast signal, the controller stores the data in the memory, and the controller transfers the data from the memory to the output device.

There is no disclosure in the Lopresti patent of a personal digital assistant that includes both an input device that provides an interface with a digital receiver and an output device that provides an interface with a computer, all as recited in independent claim 26.

Therefore, the Lopresti patent does not anticipate independent claim 26.

Moreover, the Lopresti patent does not suggest the invention of independent claim 26. For example, there is no discussion in the Lopresti patent that the remote control interfaces with a computer in addition to a digital receiver.

Because there is no suggestion of the invention of independent claim 26, independent claim 26 is not unpatentable over the Lopresti patent.

Independent claim 32 recites a method that is implemented by a personal digital assistant and that retrieves data transmitted in a digital broadcast signal. According to the method, the data is acquired at the personal digital assistant from a digital receiver that receives the digital broadcast signal, the data is stored in a memory of the personal digital assistant, and the data is transferred from the memory of the personal digital assistant to a computer that is separate from the

digital receiver and that is separate from the personal digital assistant.

There is no disclosure in the Lopresti patent that (i) a personal digital assistant acquires data from a digital receiver, (ii) that the digital receiver receives the data in a digital broadcast signal, (iii) that the personal digital assistant stores such data in a memory, and (iv) that the personal digital assistant transfers this data from the memory to a computer that is separate from the digital receiver and that is separate from the personal digital assistant, all as recited in independent claim 32.

Therefore, the Lopresti patent does not anticipate independent claim 32.

Moreover, the Lopresti patent does not suggest the invention of independent claim 32. For example, there is no discussion in the Lopresti patent that the remote control 24 (i) acquires data from a digital receiver that the digital receiver receives in a digital broadcast signal, (ii) stores such data in a memory, or (iii) transfers this data from the memory to a computer that is separate from the digital receiver and that is separate from the personal digital assistant.

Because there is no suggestion of the invention of independent claim 32, independent claim 32 is not unpatentable over the Lopresti patent.

With regard to the rejection of independent claims 1, 26, and 32, the Examiner asserts that the Lopresti patent discloses a digital receiver that receives a digital broadcast signal containing at least one television programming packet and at least one data packet. However, a digital receiver that receives a digital broadcast signal containing at least one television programming packet and at least one data packet is a receiver that is compliant with a digital television standard such as the ATSC standard. This standard covers digital televisions including high definition digital television. There is no disclosure in the Lopresti patent of a receiver that is compliant with a digital television standard or that receives programs and data in packets.

The Examiner also asserts that the Lopresti discloses at column 4, lines 9-20 a digital receiver that separates data from a received digital broadcast signal. However, this portion of the Lopresti patent merely discloses that a video user interface includes a command bar 32 and a user interactive panel 34. The command bar

32 and panel 34 are projected onto the television screen with the existing NTSC video signals from the television tuner. This portion of the Lopresti patent does not disclose that the command bar 32 and the user interactive panel 34 are contained in a digital broadcast signal received by a digital receiver. Therefore, this portion of the Lopresti patent cannot disclose a digital receiver that separates out data from the digital broadcast signal.

Moreover, the reference to NTSC emphasizes that the receiver disclosed in the Lopresti patent does not receive programming and data packets.

The Examiner additionally asserts that the Lopresti discloses at column 6, lines 18-52 a personal digital assistant having a memory that stores the data. However, this portion of the Lopresti patent does not disclose the storing of data that is received in a data packet and that is separated from a digital broadcast signal.

Accordingly, independent claims 1, 26, and 32 are patentable over the Lopresti patent. Because independent claims 1, 26, and 32 are patentable over the Lopresti patent, dependent claims 2-5, 7-25, 27-31, and 33-37 are likewise patentable over the Lopresti patent.

In addition, the dependent claims are separately patentable. For example, dependent claims 2 recites that the controller of the digital receiver causes the data to be transmitted to the personal digital assistant. Although the Lopresti patent discloses that the remote control 24 and the receiver may engage in bidirectional communications, the Lopresti patent does not disclose the nature of what is communicated from the receiver to the remote control 24. Therefore, there is no disclosure in the Lopresti patent of a digital receiver that transmits data to the remote control 24 where the data is received by the digital receiver in a digital broadcast signal.

Accordingly, dependent claims 2 is patentable over the Lopresti patent.

Dependent claim 5 recites that the personal digital assistant further comprises a sound generating circuit to generate a tone that signals when the data has been stored. The Examiner asserts that the Lopresti patent discloses that the remote control 24 stores data and that "in order to indicate the stored data in the personal digital assistant, the sound should be generated and heard by the user." First, the Examiner has not demonstrated that the remote control 24 stores data that

is received by a receiver in a broadcast signal and that is communicated by the digital receiver to the remote control 24. Second, the Lopresti does not disclose or suggest notification of the user that data is stored in the remote control 24.

Accordingly, dependent claim 5 cannot be obvious over the Lopresti patent.

Dependent claim 12 recites that the data comprises internet data. This data, as recited in independent claim 1, is data that is received by a digital receiver in a data packet contained in a digital broadcast signal. There is no disclosure or suggestion in the Lopresti patent of a digital receiver that receives data of any kind in a data packet contained in a digital broadcast signal or that such data can be internet data.

Accordingly, dependent claim 12 cannot be obvious over the Lopresti patent.

Dependent claim 15 recites that the digital receiver is a digital television and that the television programming packet transmitted with the data packet is related to the data contained in the data packet. There is no disclosure or suggestion in the Lopresti patent

that the data contained in a data packet can be related to a television programming packet.

Accordingly, dependent claim 15 cannot be obvious over the Lopresti patent.

Dependent claims 16-22 give examples of the types of data that can be received by a digital receiver in data packets and that can be passed on to the personal digital assistant. There is no disclosure or suggestion in the Lopresti patent of any of this data.

Accordingly, dependent claims 16-22 cannot be obvious over the Lopresti patent.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached version is captioned **"VERSION WITH MARKINGS TO SHOW CHANGES MADE."**

In view of the above, it is clear that the claims of the present application patentably distinguish over the art applied by the Examiner. Accordingly,

allowance of these claims and issuance of the above captioned patent application are respectfully requested.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

The claims are amended as follows:

1. (Amended) A data retrieval system for retrieving data from [a] an ATSC compliant digital broadcast signal, wherein the digital broadcast signal includes at least one television programming packet and at least one data packet that contains the data, the system comprising:

a digital receiver adapted to receive the digital broadcast signal and adapted to separate the data from the digital broadcast signal;

a [portable data storage device] personal digital assistant in communication with the digital receiver, wherein the personal digital assistant includes a device receiver [adapted] to receive the data from the digital receiver, wherein the personal digital assistant include a memory [and further adapted] to store the data, and wherein the personal digital assistant includes a data port to download the data to a computer.

2. (Amended) The data retrieval system of claim 1 wherein the digital receiver comprises:

a tuner that is adapted to tune to the digital broadcast signal;

a demodulator coupled to the tuner and adapted to demodulate the digital broadcast signal;

a controller arranged to acquire the data; and

a transceiver coupled to the controller,

wherein the controller causes the data to be supplied to the transceiver for transmission to the personal digital assistant [portable data storage device].

3. (Amended) The data retrieval system of claim 2 wherein the transceiver comprises a first transceiver, wherein the device receiver comprises a second transceiver, and further wherein the personal digital assistant [portable data storage device] comprises:

[a second transceiver that receives the data transmitted by the first transceiver;

a memory coupled to the second transceiver that stores the data received by the second transceiver;]

a processor coupled to the memory, wherein the processor causes the data received by the second

transceiver to be stored in the memory, wherein the processor is adapted to generate a data request signal for transmission by the second transceiver to the first transceiver, and wherein the data request signal includes a request for the data; and

an input device coupled to the processor that accepts input by a user, wherein the input causes the processor to generate the data request signal.

4. (Amended) The data retrieval system of claim 3 wherein the first transceiver receives the data request signal from the second transceiver and transfers the data request signal to the controller and further wherein the controller responds to the data request signal by causing the data to be transmitted to the personal digital assistant [portable data storage device].

5. (Amended) The data retrieval system of claim 3 wherein the personal digital assistant [portable data storage device] further comprises a sound generating circuit coupled to the processor and further wherein the processor causes the sound generating circuit to generate a tone that signals when the data has been stored.

6. (Amended) The data retrieval system of claim 3 wherein the personal digital assistant [portable data storage device] further comprises a data communication port that transfers the data from the personal digital assistant [portable data storage device] to a personal computer.

7. (Amended) The data retrieval system of clam [6] 3 wherein the data [communication] port comprises a serial data port and further wherein the data is transferred via a data transmission cable to a serial data port associated with the [personal] computer.

8. (Amended) The data retrieval system of clam 4 wherein the data request signal generated by the processor identifies a selected portion of the data and further wherein the controller responds to the data request signal by causing the selected portion of the data to be transmitted by the first transceiver to the personal digital assistant [portable data storage device].

22. (Amended) The data retrieval system of claim 21 wherein the computer [portable data storage device further comprises a data communication port that is adapted to transfer the data from the portable data storage device to a device that] is adapted to store [information on a smart card so that] the coupon data [may be transferred by the data communication port to the device for storage] on [the] a smart card.

24. (Amended) The data retrieval system of claim [23] 1 wherein the personal digital assistant [portable data storage device] further comprises a display.

25. (Amended) The data retrieval system of claim [23] 1 wherein the personal digital assistant [portable data storage device] is further adapted to receive and process telephone signals.

26. (Amended) A personal digital assistant comprising:

an input device providing an interface with a digital receiver and an output device providing an interface with a computer;

a memory; and

a controller, wherein the controller is arranged to read data at the input device, wherein the data at the input device is acquired from a digital receiver that receives the data in a digital broadcast signal, and further wherein the controller is arranged to cause the data to be stored in the memory and to cause the data to be transferred from the memory to the output device.

32. (Amended) A method <u>implemented by a personal digital assistant</u> of retrieving data transmitted in a digital broadcast signal comprising the following steps:

a) acquiring <u>at the personal digital assistant</u> the data from a digital receiver that receives the digital broadcast signal;

b) storing the data in a memory <u>of the personal digital assistant</u> [that is separate from the digital receiver]; and

c) transferring the data from the memory <u>of the personal digital assistant</u> to a computer that is separate from the digital receiver <u>and that is separate from the personal digital assistant</u>.